

**REMARKS**

In the final Office Action, the Examiner rejected claims 1-3, 6, 8-10, 13, 15, 16, 18, and 19 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 5,949,877 of Traw et al. ("Traw")<sup>1</sup>; and rejected claims 7, 14, 17, and 20 under § 103(a) as unpatentable over Traw in view of U.S. Patent No. 6,185,686 of Glover ("Glover").

Applicants have amended claims 1-3, 6, 8-10, 13, 15, 16, 18 and 19 to more appropriately define their invention. Applicants have also canceled claims 7, 14, 17, and 20. Claims 4, 5, 11, and 12 were previously canceled. Claims 1-3, 6, 8-10, 13, 15, 16, 18, and 19 remain pending.

Applicants respectfully traverse the Examiner's rejection of claims 1-3, 6, 8-10, 13, 15, 16, 18, and 19 under § 102(e) as anticipated by Traw. In order to properly establish that Traw anticipates Applicants' claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920, (Fed. Cir. 1989).

Regarding the 35 U.S.C. § 102(e) rejection, Traw does not anticipate claims 1-3, 6, 8-10, 13, 15, 16, 18, and 19, because it does not disclose each and every element of each of those claims. For example, Traw fails to disclose a memory card comprising a

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<sup>1</sup> In the Office Action, the Examiner also indicates that claim 17 is rejected under § 102(e). However, at page 5 of the Office Action, the Examiner clearly indicates his intention to reject claim 17 under § 103(a). Applicants have therefore responded on the basis of claim 17 being rejected under § 103(a).

storage portion including a secret area and a public area, "the public area including a rewritable public area and a read-only public area," as required by claim 1. Traw also fails to disclose such a memory card having a controller, as also required by claim 1.

Traw discloses compliant systems (e.g., col. 6, line 57 to col. 8, line 57, Figs. 1 and 2) including a source device A (e.g., a DVD player), a sink device B (e.g., a personal computer (PC) running an MPEG-2 decoder), and "prerecorded media" (col. 6, lines 46-56 and col. 9, lines 11-27) storing a Certificate Revocation List (CRL) and protected content. In Traw, devices check each other to determine if ID information of a communication partner has been revoked, by searching its CRL in order to determine whether or not the communication partner is a non-compliant device. Unlike the memory card of Applicants' claimed invention, the prerecorded media of Traw does not include a controller such as required by Applicants' claim 1. See, for example, col. 6, lines 46-56 and col. 9, lines 11-27 of Traw.

At page 2 of the Office Action, the Examiner asserts that the devices disclosed in Traw contain "microcontrollers (col. 4, lines 10-15) ". However, while such microcontrollers may be provided in the PC, they are not in the prerecorded media. In fact, Traw appears to be silent about the possibility that a microcontroller or the like may be provided in the prerecorded media. Traw also appears to be silent about determining whether or not use of the prerecorded media by an electronic device which attempts to access the prerecorded media is to be revoked.

According to Traw's structure, it is possible to invalidate the content transfer from the source device to the sink device when the sink device is determined to be a non-compliant device. However, it is not possible to invalidate content reading/writing

from/to the "prerecorded media" by the source device when the sink device is determined to be a non-compliant device.

By contrast, according to Applicants' claimed memory card having a controller, it is possible to invalidate content reading/writing from/to the "memory card" by the electronic device, because the controller "in the memory card" can "determine whether or not use of the memory card by [the] electronic device [which attempts to access to the memory card] is to be revoked," as required by claim 1. Claim 1 further requires that this determination is made by the controller "based on the revocation information registered on the read-only public area of the memory card."

Since Traw does not disclose each and every element of claim 1, claim 1 is patentable thereover. Independent claims 2, 8, and 9 contain limitations similar to those discussed above with regard to claim 1. Therefore, independent claims 2, 8, and 9 are also not anticipated by, and patentable over, Traw for the reasons discussed above with respect to claim 1. Further, claims 3, 6, 10, 13, 15, 16, 18 and 19 depend from one of the allowable independent claims and are therefore also allowable due to their dependence.

With regard to the Examiner's rejection of claims 7, 14, 17, and 20 under § 103(a), Applicants submit that the rejection has been rendered moot by the cancellation of claims 7, 14, 17, and 20.

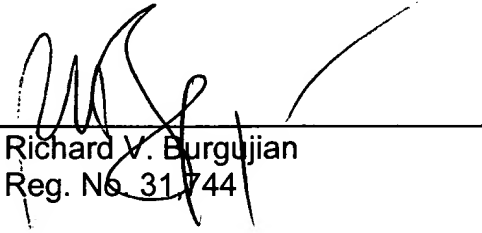
In view of the above amendments and remarks, the pending claims are in condition for allowance. Applicants therefore requests a favorable action.

Please grant any extensions of time required to enter this response and charge  
any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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